



### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### *NOVEL DEAZAPURINES AND USES THEREOF*

the specification of which:

\_\_\_\_\_ is attached hereto;

  X   was filed on **January 7, 2004** as Application Serial No. **10/753,261** and amended on \_\_\_\_\_ (if applicable); or

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_, on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### **Prior Foreign Application(s):**

<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in

Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior US National Application(s) Application(s) and PCT Applications Designating the US:**

<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>
PCT/US03/00366	PCT	January 7, 2003	Pending	Y

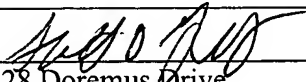
I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

**Prior US Provisional Application(s):**

<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>
60/346,598	U.S.	January 7, 2002	Expired	Y

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

<b>Name:</b>	Jane Daun		
<b>Signature:</b>		<b>Date:</b>	
<b>Residence Address:</b>	85 Harding Street Newton, MA 02465	<b>Citizenship:</b>	U.S.
<b>Correspondence Address:</b>	Same as above		

<b>Name:</b>	Scott Fields		
<b>Signature:</b>		<b>Date:</b> 4/27/04	
<b>Residence Address:</b>	28 Doremus Drive Towaco, NJ 07082	<b>Citizenship:</b>	U.S.
<b>Correspondence Address:</b>	Same as above		

<b>Name:</b>	Seiichi Kobayashi		
<b>Signature:</b>		<b>Date:</b>	
<b>Residence Address:</b>	28 Trowbridge Street Belmont, MA 02478	<b>Citizenship:</b>	Japan
<b>Correspondence Address:</b>	Same as above		



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Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior US National Application(s) Application(s) and PCT Applications Designating the US:**

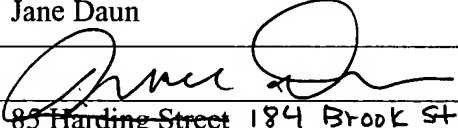
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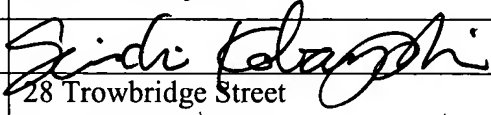
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

<b>Name:</b>	Jane Daun		
<b>Signature:</b>		<b>Date:</b>	4/26/04
<b>Residence Address:</b>	83 Harding Street 184 Brook St JD Newton, MA 02465 Pracut MA 01826	<b>Citizenship:</b>	U.S.
<b>Correspondence Address:</b>	Same as above		

<b>Name:</b>	Scott Fields		
<b>Signature:</b>		<b>Date:</b>	
<b>Residence Address:</b>	28 Doremus Drive Towaco, NJ 07082	<b>Citizenship:</b>	U.S.
<b>Correspondence Address:</b>	Same as above		

<b>Name:</b>	Seiichi Kobayashi		
<b>Signature:</b>		<b>Date:</b>	9/26/09
<b>Residence Address:</b>	28 Trowbridge Street Belmont, MA 02478	<b>Citizenship:</b>	Japan
<b>Correspondence Address:</b>	Same as above		



ATTORNEY DOCKET NO.: 2003946-0070 (IKKI/CIP)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Daun, *et al.* Examiner: NYA  
Serial No.: 10/753,261 Art Unit: NYA  
Filing Date: January 7, 2004  
Title: NOVEL DEAZAPURINES AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**APPOINTMENT OF ATTORNEY**

The undersigned hereby appoints:

Attorney/Agent	Registration No.
Sam Pasternack, Ph.D.	29,576
Donald W. Muirhead	33,978
Brenda Herschbach Jarrell, Ph.D.	39,223
Anne. E. Saturnelli	41,290
Kevin Tormey	41,351
Elizabeth E. Nugent, Ph.D.	43,839
Theresa A. Devlin, Ph.D.	45,361
Valarie B. Rosen, Ph.D.	45,698
C. Hunter Baker, M.D., Ph.D.	46,533
Monica Gerber, M.D., Ph.D.	46,724
Elijah Cocks	47,499
Nadège M. Lagneau, Ph.D.	51,908
Charles Lyon, Ph.D.	Limited Recognition Under 37 CFR § 10.9(b)
Stacy Blasberg	52,625

as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to:

Patent Department  
Choate, Hall & Stewart  
Exchange Place, 53 State Street,  
Boston, Massachusetts 02109

Respectfully submitted,

*Hiroshi Yoshino*

Name: *Hiroshi Yoshino* Hiroshi Yoshino  
Title: Director of Intellectual Property Department  
On behalf of Eisai Co., Ltd.

Dated:





ATTORNEY DOCKET NO.: 2003946-0070 (IKKI/CIP)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Daun, *et al.* Examiner: NYA  
Serial No.: 10/753,261 Art Unit: NYA  
Filing Date: January 7, 2004  
Title: NOVEL DEAZAPURINES AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**  
**(37 CFR § 3.73(b))**

The inventors of the above-referenced United States patent application have assigned their entire right, title, and interest in the inventions disclosed therein according to the following table:

Inventor	Assignee
Jane Daun	Eisai Co., Ltd.
Scott Fields	Eisai Co., Ltd.
Seiichi Kobayashi	Eisai Co., Ltd.

Thus, the Assignee of the inventors' entire right, title, and interest is:

**Eisai Co., Ltd.**

According to 37 CFR § 3.73(b), the Assignee is entitled to take action relating to the application in the Patent and Trademark Office if the Assignee establishes ownership to the satisfaction of the Commissioner.

Ownership by the assignee is established as follows:

\_\_\_\_\_ documents already recorded in the PTO on \_\_\_\_\_.

Reel \_\_\_\_\_ Frame \_\_\_\_\_; and

  X   documents separately submitted for recordal to the PTO (a copy of these documents is attached).

#### STATEMENT

I, person(s) authorized to sign on behalf of the Assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as Assignee who seeks to take further action.

Name/Title	Assignee	Date
Signature: <u>Hiroshi Yoshino</u> Name: <u>Hiroshi Yoshino</u> Title: <u>Director of Intellectual</u> <u>Property Department</u>	Eisai Co., Ltd. 6-10, Koishikawa 4-Chome Bunkyo-ku Tokyo 112-8088 Japan	April 22, 2004

COPY

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned **Jane DAUN** of Newton, Massachusetts; **Scott FIELDS** of Towaco, New Jersey; and **Seiichi KOBAYASHI** of Belmont, Massachusetts hereby

Sells, assigns and transfers to **Eisai Co., Ltd.**, having a place of business at **6-10, Koishikawa 4-Chome, Bunkyo-ku, Tokyo 112-8088, Japan**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, his/her entire right, title and interest for the United States and all foreign countries; in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**NOVEL DEAZAPURINES AND USES THEREOF**" filed **January 7, 2004**, and given U.S. Serial No. **10/753,261**, in and to said application and all divisional, continuing, substitute, renewal, reissue reexamination or other application for Letters Patent which has been or shall be filed in the United States or any foreign country on any of said inventions, and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agrees that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name and when requested, without charge to but at the expense of said ASSIGNEE, agrees to carry out in good faith the intent and purpose of this Assignment by executing all divisional, continuing, substitute, renewal, reissue, reexamination and all other patent applications on any and all said inventions; by executing all rightful oaths, assignments, powers of attorney and other papers; by communicating to said ASSIGNEE all facts known to him relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby requests the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

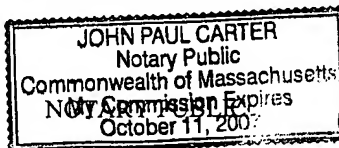
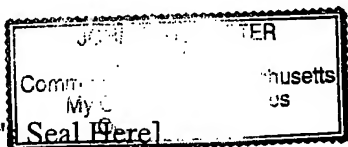
Covenants with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by him, and that full right to convey the same as herein expressed is possessed by him.

IN WITNESS WHEREOF, I hereto set my hand and seal at Walden,  
MA this 26 day of April, 2004.

  
Name: **Jane DAUN**

STATE OF MASS  
COUNTY OF ESSEX SS.

Before me this 26 day of April, 2004, personally appeared  
**Jane DAUN** known to me to be the person whose name is subscribed to the foregoing  
Assignment and acknowledged that she executed the same as her free act and deed for the  
purposes therein contained.



My Commission Expires:



IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Name: **Scott FIELDS**

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ SS.

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 2004, personally appeared  
**Scott FIELDS** known to me to be the person whose name is subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at

MASS

this

26

day of

April, 2004.

Seiichi Kobayashi  
Name: **Seiichi KOBAYASHI**

STATE OF

MASS

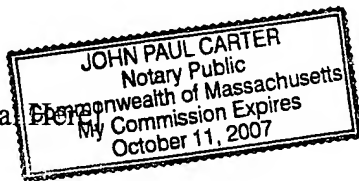
COUNTY OF

Essex

SS.

Before me this 26 day of April, 2004, personally appeared **Seiichi KOBAYASHI** known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

[Notary's Seal]



NOTARY PUBLIC

My Commission Expires:

John Paul Carter

COPY

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned **Jane DAUN** of Newton, Massachusetts; **Scott FIELDS** of Towaco, New Jersey; and **Seiichi KOBAYASHI** of Belmont, Massachusetts hereby

Sells, assigns and transfers to **Eisai Co., Ltd.**, having a place of business at **6-10, Koishikawa 4-Chome, Bunkyo-ku, Tokyo 112-8088, Japan**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, his/her entire right, title and interest for the United States and all foreign countries; in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**NOVEL DEAZAPURINES AND USES THEREOF**" filed **January 7, 2004**, and given U.S. Serial No. **10/753,261**, in and to said application and all divisional, continuing, substitute, renewal, reissue reexamination or other application for Letters Patent which has been or shall be filed in the United States or any foreign country on any of said inventions, and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

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Hereby requests the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenants with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by him, and that full right to convey the same as herein expressed is possessed by him.

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Name: **Jane DAUN**

Witness:

Date:

\_\_\_\_\_  
Name:

Witness:

Date:

\_\_\_\_\_  
Name:

IN WITNESS WHEREOF, I hereto set my hand and seal at Emp Ridgefield Park NJ  
\_\_\_\_\_ this 27 day of April, 2004.

[Signature]  
Name: **Scott FIELDS**

Witness:

Date:

Kathleen Wells  
Name:

4/27/04

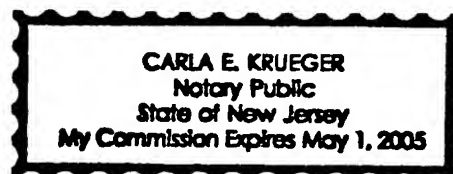
Witness:

Date:

Sandy Johns  
Name:

4/27/04

*Persons above appeared  
before me on April 27, 2004*



IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_,  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Name: **Seiichi KOBAYASHI**

Witness:

Date:

\_\_\_\_\_  
Name:

Witness:

Date:

\_\_\_\_\_  
Name: